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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/928,881	08/13/2001	Konstantin Konson	DE920000074US1	8141
48115 7590 12/20/2006 HOLLAND & KNIGHT LLP 701 BRICKELL AVE SUITE 3000 MIAMI, FL 33131			EXAMINER TSAI, SHENG JEN	
			ART UNIT 2186	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			12/20/2006	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/928,881	KONSON ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Sheng-Jen Tsai	2186	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 26 October 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-3, 5, 7-12, 14-16, 18-22 and 24 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 4, 6, 13, 17, 19 and 23 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

1. This Office Action is taken in response to Applicants' Request for Continued Examination (RCE) filed on October 26, 2006 regarding application 09/928,881 filed on August 13, 2001.

2. Claims 1, 3-12, 14 and 16-24 have been amended.

Claims 1-24 are pending in the application under consideration.

### *Claim Objections*

3. Claim 4 is objected to for reciting the limitation "said first ordered list". There is insufficient antecedent basis for this limitation in the claim.

Claim 4 depends from claim 2, which recites the limitation of "whereby said first **and/or** said second list are ordered lists." Thus, according to claim 2, the first list may or may not be an ordered list, and the second list may or may not be an ordered list.

However, claim 4 recites the limitation of "said first ordered list," which is inconsistent with the limitation that the first list may or may not be an ordered list as recited in claim 2.

This inconsistency may be avoided **either** by changing the wording "and/or" in claim 2 to "and," **or** by changing the wording "said first ordered list" in claim 4 to "said first list is an ordered list."

4. Claim 6 is objected to for reciting the limitation "said second ordered list". There is insufficient antecedent basis for this limitation in the claim.

Claim 6 depends from claim 2, which recites the limitation of "whereby said first and/or said second list are ordered lists." Thus, according to claim 2, the first list may or may not be an ordered list, and the second list may or may not be an ordered list.

However, claim 6 recites the limitation of "said second ordered list," which is inconsistent with the limitation that the second list may or may not be an ordered list as recited in claim 2.

This inconsistency may be avoided **either** by changing the wording "and/or" in claim 2 to "and," **or** by changing the wording "said second ordered list" in claim 6 to "said second list is an ordered list."

5. Claim 13 is objected to for reciting the limitation "linked lists". There is insufficient antecedent basis for this limitation in the claim.

Claim 13 depends from claim 1. However, claim 1 only recites the elements of "a first list" and "a second list" and is completely silent regarding the element of "linked list." It is noted that a linked list is a special type of lists, and not every list qualifies as a linked list.

6. Claim 17 is objected to for reciting the limitation "said first ordered list". There is insufficient antecedent basis for this limitation in the claim.

Claim 17 depends from claim 16, which recites the limitation of "whereby said first **or** said second list are ordered lists." Thus, according to claim 16, either the first list or the second list, but not both of them, may be an ordered list.

However, claim 17 recites the limitation of "said first ordered list," which is inconsistent with the limitation that either the first list or the second list, but not both of them, may be an ordered list.

This inconsistency may be avoided **either** by changing the wording "or" in claim 16 to "and," **or** by changing the wording "said first ordered list" in claim 17 to "said first list is an ordered list."

7. Claim 19 is objected to for reciting the limitation "said second ordered list". There is insufficient antecedent basis for this limitation in the claim.

Claim 19 depends from claim 15, which recites the limitation of "whereby said first **and/or** said second list are ordered lists." Thus, according to claim 15, the first list may or may not be an ordered list, and the second list may or may not be an ordered list.

However, claim 19 recites the limitation of "said second ordered list," which is inconsistent with the limitation that the second list may or may not be an ordered list as recited in claim 15.

This inconsistency may be avoided **either** by changing the wording "and/or" in claim 15 to "and," **or** by changing the wording "said second ordered list" in claim 19 to "said second list is an ordered list."

8. Claim 23 is objected to for reciting the limitation of "variables" in "whereby for each value of variables having a variable length". There is insufficient antecedent basis for this limitation in the claim.

Claim 23 depends from claim 14. However, claim 14 is completely silent regarding the elements of "variables."

***Allowable Subject Matter***

9. Claims 1-3, 5, 7-12, 14-16, 18-22 and 24 are allowed.

***Conclusion***

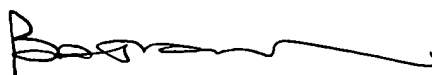
10. Claims 4, 6, 13, 17, 19 and 23 are objected to as explained above.

Claims 1-3, 5, 7-12, 14-16, 18-22 and 24 are allowed.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheng-Jen Tsai whose telephone number is 571-272-4244. The examiner can normally be reached on 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Kim can be reached on 571-272-4182. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**PIERRE BATAILLE**  
**PRIMARY EXAMINER**  
12/14/06

Sheng-Jen Tsai  
Examiner  
Art Unit 2186

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